

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

U.S. SECURITIES AND EXCHANGE  
COMMISSION,

Plaintiff,

v.

CROWD MACHINE, INC., METAVINE,  
INC, and CRAIG DEREL SPROULE,

Defendants,

and

METAVINE PTY. LTD.,

Relief Defendant,

Case No.: 4:22-cv-00076-HSG

Hon. Haywood S. Gilliam, Jr,

**ORDER GRANTING PLAINTIFF'S  
ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED**

CASE NO. 4:22-CV-00076-HSG

**ORDER GRANTING PLS.' ADMIN. MOT. TO CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE SEALED**

**ORDER**

The Court, having considered Plaintiff's Administrative Motion to Consider Whether Another Party's Material Should be Sealed (ECF No. 41), as well as Defendants' Response thereto, and the Declaration of Anne Osborne in support thereof, HEREBY ORDERS THAT:

1. The Court finds there are compelling reasons sufficient to overcome the presumption in favor of granting public access to the documents below. "Courts have found that 'confidential business information' in the form of ... 'financial terms ... and business strategies' satisfies the 'compelling reasons' standard." *Baird v. BlackRock Inst. Trust. Co., N.A.*, 403 F.Supp.3d 765, 792 (N.D. Cal. 2019) (Gilliam, J.) (quoting *In re Qualcomm Litig.*, 2017 WL 5176922, at \*2 (S.D. Cal. Nov. 8, 2017)) (emphasis added).

2. Accordingly, Plaintiff's Administrative Motion is GRANTED, and the Clerk of the Court is directed to accept the under-seal filing of the following materials:

Docket No. Public / (Sealed)	Document	Portion(s) to Seal	Evidence Offered in Support of Sealing	Ruling
42-1 / (41-1)	Exhibit A to SEC's Motion for Monetary Relief: September 30, 2022 Defendants' Responses to Plaintiff's Interrogatory No. 13	Attachment A under seal	Osborne Decl.	Granted
42-1 / (41-2)	Exhibit B to SEC's Motion for Monetary Relief: December 7, 2022 Deposition of Ann Osborne	with redactions	Osborne Decl.	Granted
42-1 / (41-3)	Exhibit C to SEC's Motion for Monetary Relief: January 28, 2023 Deposition of Craig Sproule	with redactions	Osborne Decl.	Granted

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42-1 / (41-4)	Exhibit D to SEC's Motion for Monetary Relief: Defendants' Oct. 7, 2022 Interrogatory Responses	with redactions	Osborne Decl.	Granted
42-1 / (41-5)	Exhibit E to SEC's Motion for Monetary Relief: Osborne Deposition Exhibit 4	entire document under seal	Osborne Decl.	Granted
40-1 / 41-6	Declaration of Avron M. Elbaum	with redactions to declaration and Exhibits 1-14 under seal	Osborne Decl.	Granted

**IT IS SO ORDERED.**

Date: 1/4/2024

  
Hon. Haywood S. Gilliam, Jr.